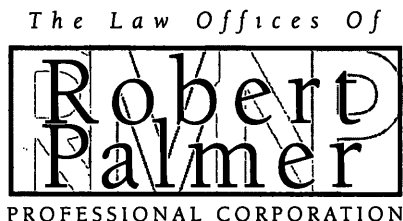


ROBERT M N PALMER\*  
MARK E BRINKMANN  
JOBY J RAINES  
SCOTT A SMITH  
ATTORNEYS AT LAW

\*LICENSED IN MISSOURI AND NEVADA

CRAIG R OLIVER\*\*  
OF COUNSEL

\*\*LICENSED IN MISSOURI AND KANSAS



Telephone (417)865-3234  
Facsimile (417)865-1698  
Internet www.palmerlaw.com  
e-mail info@palmerlaw.com

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
A LEE WORMAN  
DONNA K CHAPMAN  
KIMBERLY D HOAGIN  
LEGAL ASSISTANT  
DEC - 8 1 P 2:20

December 6, 2004

Chairman Bradley A. Smith  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Re: MUR 5611, The Law Offices of Robert M.N. Palmer, P.C.

Dear Chairman Smith,

I was extremely surprised to review your correspondence of November 17, 2004 suggesting that the Law Offices of Robert M.N. Palmer, P.C. had violated 2 U.S.C. § 441b(a). As is clearly set out in the affidavit that I have attached hereto neither my firm nor I ever violated the above-mentioned act. The \$5,000 was solicited from me with the clear understanding that it would be used for state and local elections. I even specifically discussed this issue with Lt. Gov. Joseph Maxwell who solicited the funds from me as is set out in my affidavit and his attached letter. I was fully aware that corporate funds could not be used in federal elections and wanted to make absolutely sure that I could write a corporate check in this particular case in complete compliance with the law. I was assured that I could do so and that all of the \$5000 would be used for state and local elections and not for any federal activities.

Should you have any questions or comments regarding what has occurred in this matter, please do not hesitate to contact me .

Respectfully,

The Law Offices of  
Robert M. N. Palmer, P.C.

By: 

Robert M. N. Palmer

nmb

Enclosures

Via FedEx Overnight Delivery and U.S. Certified Mail, Return Receipt Requested

c: Beth Mizuno, with enclosures, via FedEx Overnight Delivery  
Lt. Governor Joseph Maxwell with enclosures via US Mail

25044122043

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 5611  
Robert Palmer Professional Corporation )  
 )

**AFFIDAVIT OF ROBERT M.N. PALMER**

Comes now before me Robert M.N. Palmer being of legal age and swears under the pain of perjury to the following.

1. Robert M.N. Palmer is the President and Secretary of the Law offices of Robert M.N. Palmer, P.C.
2. The Law Offices of Robert M.N. Palmer, P.C. received the letter of the Federal Election Commission dated November 17, 2004 in the matter of Robert Palmer Professional Corporation, MUR 5611, on November 22, 2004. Pursuant to the guidance of said letter the affiant submits the following factual and legal materials that he believes are relevant to the Commission's consideration of the matter.
3. Robert M.N. Palmer was contacted in October of 2000 by Lt. Governor Joseph Maxwell of the State of Missouri and was asked to make a contribution to the Missouri Democratic Party. Lt. Governor Maxwell assured Robert M.N. Palmer that said contribution was for state political activities and not for any federal campaigns. Lt. Governor Maxwell has submitted a letter attached hereto as Exhibit A to confirm said understanding. It should be noted that affiant specifically discussed this subject with Lt. Governor Maxwell at the time of the solicitation of the \$5,000 check dated October 24,

25044122044

2000 and was specifically informed that none of these funds would be used in federal elections in violation of any election laws.


4. In response to the solicitation and assurances by Lt. Governor Maxwell affiant wrote a corporate check from the Law Offices of Robert M.N. Palmer, P.C. to the Missouri Democratic Party with the understanding that this check would be used for only state and local races. See Exhibit B attached hereto. Please note that said check is made specifically and directly to the Missouri Democratic Party. Attached hereto as Exhibit C is the cover letter that accompanied said check.

5. For reasons unknown to affiant said check was deposited into the Democratic State Committee State Account. Affiant of course has no idea how the moneys were used after being solicited with the understanding that they would be used solely for state and local elections. If any funds of this committee or any of affiants money was used for federal elections, it was in direct and complete violation of the solicitation by Lt. Governor Maxwell to affiant, in direct violation of his understanding of how the money was to be used, in direct violation of how affiant understood the corporate funds were to be used and therefore affiant and the Law Offices of Robert M.N. Palmer, P.C. are NOT in violation of 2 U.S.C. § 441b(a).

6. If any violations of 2 U.S.C. § 441b(a) occurred then it was the actions of the Missouri Democratic Party (or its Committee) that committed said violations not affiant or the Law Offices of Robert M.N. Palmer, P.C.

25044122045


FURTHER AFFIANT SAYETH NAUGHT.

  
Affiant

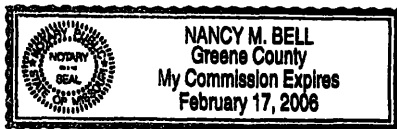
STATE OF MISSOURI     )  
                                  )  
COUNTY OF GREENE    )     ss:

On this 6<sup>t</sup> of December, 2004, before me personally appeared Robert M.N. Palmer, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at my office in Springfield, Missouri, the day and year first above written.

  
Notary Public

My commission expires:



25044122046

*Law Offices*  
**Hagan, Hamlett & Maxwell, L.L.C.**

---

210 E. Love  
Mexico, MO 65265  
573/581-8373  
Fax: 573/581-8486

*Ann P. Hagan*

*J. Kevin Hamlett*

*Joseph E. Maxwell*

December 1, 2004

To Whom It May Concern

In the year 2000, I called and asked Robert Palmer if he would make a financial contribution to the Missouri State Democratic Party. The contribution was for Missouri State Political Activities. He told me he would do so.

JOE MAXWELL

25044122047

**EXHIBIT**

**A**

THE LAW OFFICES OF ROBERT PALMER  
ROBERT PALMER  
205 PARK CENTRAL E., STE 511  
SPRINGFIELD, MO 65806

4369

80-7332/2865

DATE 10/24/00

PAY  
TO THE  
ORDER OF

Missour Democratic Party

\$ 5000.00

Five Thousand


00  
100

DOLLARS 



**Great Southern  
Bank**

FOR DONATION



FOR DEPOSIT ONLY  
DEMO. STATE COMMITTEE  
STATE ACCOUNT

EXHIBIT

B

25044122048

October 24, 2000

Missouri Democratic Party  
314 E. Promenade  
Mexico, MO 65265

Re: Donations

Dear Sir/Madame:

After speaking with Joe Maxwell today, I realized that I could contribute another \$5,000.00 to the party. I hope it is used wisely.

Respectfully,

The Law Offices of  
Robert M. N. Palmer, P.C.

COPY

By: \_\_\_\_\_

Robert M. N. Palmer  
[palmer@palmerlaw.com](mailto:palmer@palmerlaw.com)

nmf  
Enclosure  
Via UPS Next Day Delivery  
cc: Joe Maxwell  
Linda Simon

EXHIBIT

C

25044122049